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| JANE DOE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | NO. 3:23-CV-00477 |
| |) | |
| v. |) | JUDGE CAMPBELL |
| |) | MAGISTRATE JUDGE FRENSELY |
| |) | |
| WILLIAMS BOWERS MANAGEMENT, |) | |
| LLC D/B/A WIDE OPEN MUSIC, ET AL. |) | |
| |) | |
| |) | |
| Defendants. |) | |

Movants Jonathan Cole, Katelyn R. Dwyer and the law firm of Baker Donelson Bearman Caldwell & Berkowitz, P.C. (collectively, “Movants”), counsel of record for Defendant Jimmie Allen (“Defendant”), hereby file this Reply to Plaintiff’s Response to Movants Motion to Withdraw as Counsel of Record (“Plaintiff’s Response”). Though Plaintiff’s Response argues otherwise and wades into discovery issues not relevant to this Motion, good cause exists for Movants to withdraw as counsel for Defendant and the Motion to Withdraw was not filed for purposes of delay. In fact, Defendant has informed Movants that he has retained subsequent counsel who intend to appear as soon as possible and further progress this case forward.

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September. Movants were able to facilitate the digital imaging of two of Defendant's cell phones in late October of 2023. The imaging was conducted by FTI Consulting. Movants were later provided a hard drive containing the digital images and were in the process of processing the large amount of data when the need to withdraw as counsel arose. Movants did not review the data from the imaged cell phones and do not have Defendant's permission to produce it. Additionally, Movants fully complied with Administrative Order 174-1, and, as Plaintiff admits, had multiple meet and confer meetings with Counsel for Plaintiff. Movants have also provided the numbers associated with the imaged phones to Plaintiff's counsel.

The fact remains that Defendant has been unable to comply with the terms of his engagement with Movants and Movants believe that their professional obligations require them to withdraw. Movants are concerned that further detailing the grounds supporting their withdraw would result in the disclosure of information protected by the attorney-client privilege. Should the Court require additional information from Movants, Movants respectfully suggest an in camera session with the Court.

Respectfully submitted this 5th day of January, 2024.

/s/ Jonathan Cole

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendant's Reply to Plaintiff's Response to Motion to Withdraw as counsel of record was served on counsel for the parties listed below through the Court's CM/ECF system:

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*Attorneys for Defendant Ash Bowers and
Williams Bowers Management, LLC*

this 5th day of January, 2024.

s/ Jonathan Cole

Attorney for Defendant Jimmie Allen